



Practitioner Docket No. VSI-020

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: JOHN MERVA, ET AL

Application No.: 09/927,187  
 Filed : August 10, 2001  
 For : Apparatus and Process For Simultaneously Handling A Plurality Of Symbology  
 Encoded Articles

Group No.: 2876

Examiner : LEE, SEUNG H.

Mail Stop AF  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
 TO THE BOARD OF PATENT APPEALS AND INTERFERENCES  
 (37 C.F.R. § 1.191)

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed June 29, 2004, finally rejecting claims 1-24.

1. STATUS OF APPLICANT

This application is on behalf of a small entity..

CERTIFICATION UNDER 37 C.F.R. " 1.8(a) and 1.10\*

(When using Express Mail, the Express Mail label number is *mandatory*;  
*Express Mail certification is optional.*)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

XXX deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

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37 C.F.R. § 1.10\*

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TRANSMISSION

G facsimile transmitted to the Patent and Trademark Office, (703) \_\_\_\_\_ - \_\_\_\_\_.

11/03/2004 HALI11 00000027 502966 09927187

01 FC:2401 170.00 DA  
 02 FC:2251 55.00 DA

Date: October 29, 2004

  
 Signature

MORRIS I. POLLACK, Reg. No. 20,270  
 (type or print name of person certifying)

\* Only the date of filing (" 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under " 1.8 continues to be taken into account in determining timeliness. See " 1.703(f). Consider "Express Mail Post Office to Addressee" (" 1.10) or facsimile transmission (" 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

**2. FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 C.F.R. § 1.17(b), the fee for filing the Appeal Brief is:

Small entity \$170.00

Notice of Appeal fee due \$170.00

**3. EXTENSION OF TERM**

The proceedings herein are for a patent application and the provisions of 37 C.F.R.1.136 apply.

Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for one month:

Fee \$55.00

If an additional extension of time is required, please consider this a petition therefor.

**4. TOTAL FEE DUE**

The total fee due is:

Notice of Appeal fee \$170.00

Extension fee \$55.00

**TOTAL FEE DUE \$225.00**

**5. FEE PAYMENT**

Authorization is hereby made to charge the amount of \$225.00 to Deposit Account No. 502966.

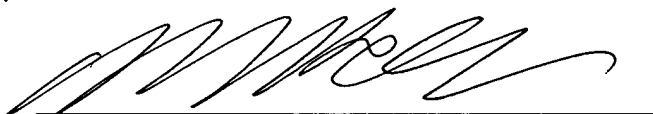
Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this transmittal is attached.

**6. FEE DEFICIENCY**

If any additional extension and/or fee is required, and if any additional fee for claims is required, charge Deposit Account No. 502966.

Date: October 29, 2004



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